

**BOARD OF LICENSING OF AUCTIONEERS  
BOARD MEETING MINUTES  
June 4, 2003**

**MEMBERS PRESENT**

Raymond Williams  
James Keating  
Roger Chesley  
William Macomber  
General  
Edward Leary

**OTHERS PRESENT**

Carol Leighton, Administrator  
Debbie Fales, Licensing Clerk  
Susan Greenlaw, Board Clerk  
Dennis Smith, Assistant Attorney

**MEMBERS ABSENT**

**Location:** Central Conference Room **Start:** 9:00 a.m. **Adjourn:** 3:35 p.m.

**CALL TO ORDER**

The meeting was called to order at 9:00 a.m.

**AGENDA MODIFICATIONS**

**OLD BUSINESS**

Action on Minutes of April 2, 2003 Meeting

A motion was made by Roger Chesley and seconded by William Macomber to approve the minutes of the April 2, 2003 meeting as written. Unanimous.

**NEW BUSINESS**

Administrators Report

The Board's financial status continues to be monitored.

Complaint Officer's Report

Nothing to report.

Examination Results – May 21, 2003

Two individuals were scheduled for the examination. One individual passed and one individual failed. The next examination is scheduled for July 16, 2003.

#### Action on Letter from Lisa Fernald

The Board received and reviewed a letter inquiring about the Board's regulations regarding advertising for on-line auctions. The Board instructed staff to draft a response to be reviewed by Assistant Attorney General Dennis Smith.

#### Commissioner Robert E. Murray, Jr.

Commissioner Robert Murray, Jr. met with the Board for the purpose of a brief introduction.

#### Informal Conference – Complaint #AUC-169

Following discussion with the licensee and the licensee's attorney, a motion was made by William Macomber and seconded by Roger Chesley to dismiss with a letter of guidance suggesting that the licensee become familiar with the Board's statute and rules, specifically 32 MRSA §299(4)(7)(9), in order to ensure that the terms and conditions of the licensee's contracts are compliant. Unanimous.

#### Adjudicatory Hearing – Audrey L. Street (Complaint #AUC-168)

The licensee requested a continuance. A motion was made by Roger Chesley and seconded by William Macomber to grant a continuance to October 1, 2003 at 10:00 a.m. Unanimous.

#### Adjudicatory Hearing – James D. Cyr (Complaint #AUC-167)

The hearing in the matter of James D. Cyr opened at 2:17 p.m. Mr. Cyr was present and was not represented by counsel. Assistant Attorney General Dennis Smith was present on behalf of the State. The Presiding Officer was James Smith. Public deliberations were conducted at the close of the hearing.

A motion was made by Roger Chesley and seconded by William Macomber to find Mr. Cyr in violation of 32 MRSA §291(1)(B). Unanimous.

A motion was made by William Macomber and seconded by Edward Leary to assess Mr. Cyr for costs associated with the hearing. Unanimous.

A motion was made by Roger Chesley and seconded by William Macomber to issue the following Decision & Order: (1) 90-day license suspension, 90 days suspended; (2) one year probation; and (3) \$1000 fine. Unanimous.

#### Review and Action on Applications

None to review.

Correspondence

None to review.

Next meeting scheduled for August 6, 2003

A motion was made by James Keating and seconded by Edward Leary to cancel the August 6, 2003 meeting. The next regular meeting is scheduled for October 1, 2003. Unanimous.

**OTHER BUSINESS**

**ADJOURN**

There being no other business, the meeting adjourned at 3:35 p.m.

Respectfully submitted,

Susan Greenlaw  
Board Clerk